

REMARKS

New Claims 21-25 have been added. Support for Claims 21-25 appears in the specification at least at page 15, line 21 to page 18, line 17 and in FIG. 5.

The Examiner states:

This application contains claims directed to the following patentably distinct species of the claimed invention:

Species 1: Figure 5, and

Species 2: Figure 9.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

(Office Action, page 2.)

Applicant hereby elects, with traverse, Species 1 and assert that Claims 1-14 and 21-25 are readable upon the elected species.

Applicant hereby makes the election with traverse. Applicant notes that an election requirement was previously made in the September 16, 2003 Office Action. Applicant submits that this second election requirement amounts to unwarranted piecemeal examination.

MPEP § 707.07(g) sets forth:

Piecemeal examination should be avoided as much as possible. (pg. 700-116, Rev. 1, Feb. 2003, emphasis added.)

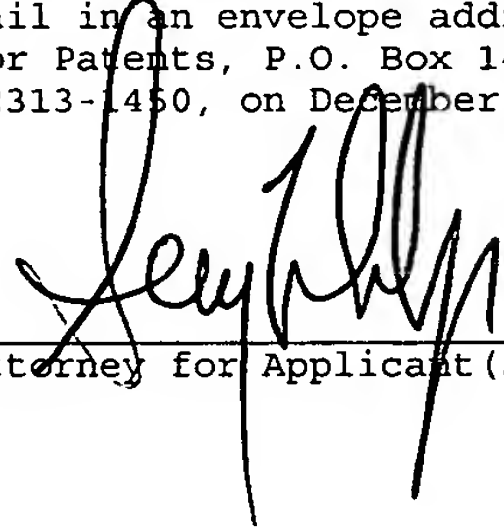
For at least the above reasons, election is not proper and Applicant hereby requests reconsideration and withdrawal of the election requirement.

Appl. No. 10/040,027
Amdt. dated December 22, 2003
Reply to Office Action of December 2, 2003

Claims 1-15 and 21-25 are pending in the application. If the Examiner has any questions relating to the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant(s).

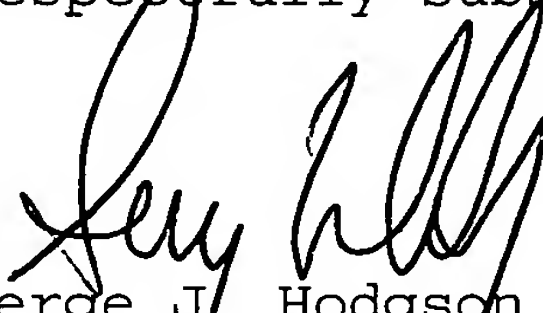
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 22, 2003.


Attorney for Applicant(s)

December 22, 2003
Date of Signature

Respectfully submitted,


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